

REMARKS

By the present amendment, non-elected claims 5-8, 13, 16, 30-31, and 33-35 have been canceled. Further, claim 1 has been amended by incorporating therein the subject matter of claim 32. Accordingly, claim 32 has also been canceled.

It is submitted that the amendments do not raise any new issues. Accordingly, entry and consideration of the amendments is respectfully requested.

Claims 1-4, 9-10, 17-20, and 22-28 are pending in the application. Claim 1 is the only independent claim.

In the Office Action, claims 1-3, 9-12, 27-28 and 32 are rejected under 35 U.S.C. 103(a) as obvious over WO 00/44841 to Nagahama et al. ("Nagahama") in view of US 5,972,473 to Arakawa ("Arakawa"), and claim 4 is rejected under 35 U.S.C. 103(a) as obvious over Nagahama in view of Arakawa, further in view of US 6,111,699 to Iwata et al. ("Iwata").

Regarding the Declaration under Rule 1.132 by the inventor Mr. Saiki ("Saiki Declaration"), it is alleged in the Office Action that (i) the experimental data regarding transparency is ineffective because no limitations on haze or transparency properties are recited in the present claims, and (ii) Arakawa discloses a roughness of not more than $\frac{1}{2}$ and preferably between $\frac{1}{4}$ and $\frac{1}{10}$ of the physical thickness of the film which may be 25 microns or less which overlaps a range of 0.03 to 1 microns.

Reconsideration and withdrawal of the rejection is respectfully traversed. First, it is submitted that the Declaration is effective regarding the features of the presently claimed invention, because the experimental results reported in the Declaration are directed to a light-transmitting protective film, and they show that optical property of a light-transmitting

protective film having a roughness as recited in present claim 1 is sufficient for visual inspection while still preventing stickiness between optical elements, and specifically, that the haze value remains low for values up to 1 micron, but is close to maximum values for high roughness values (see Declaration at Table 1 and the graph on Fig. 2).

Thus, the Declaration confirms the criticality of the roughness as recited in the present claims in the case of a light-transmitting protective film. In other words, the present inventors have unexpectedly discovered that it is possible to obtain a light-transmitting protective film with a roughness that is both (i) high enough in order to avoid blocking, and (ii) low enough to enable visual inspection. This result is completely unexpected based on Arakawa, since Arakawa is completely silent as to any objective of this type, such as avoiding blocking while enabling visual inspection. Thus, Arakawa does not provide any guidance or expectation as to using a light-transmitting protective film in an optical member, and as to how such objectives could be attained in the case of a light-transmitting protective film for an optical member.

In summary, Arakawa fails to teach or suggest an optical member in which a surface of an optical material is bonded to and covered with a light-transmitting protective film having an outer surface roughness Ra of from 0.03 to 1 μm , wherein the protective film comprises a protective base and an adhesive layer disposed on the protective base so that the protective base can be released together with the adhesive layer from the optical material, as recited in present claim 1, since Arakawa is not concerned about visual inspection and optical properties. Further, the other cited references fail to remedy this deficiency of Arakawa. Therefore, the present claims are not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel
Attorney for Applicants
Reg. No. 44,373

Atty. Docket No.: 020606
Customer No.: 38834
1250 Connecticut Avenue NW Suite 700
Washington, D.C. 20036
Tel: (202) 822-1100
Fax: (202) 822-1111
NES:rep